→Claude-F41 - Bob
3/29

March 27, 1997

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Mr. Caton:

Today, Telecommunications for the Deaf, Inc. (TDI) filed comments on FCC's First Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 92-105, The Use of N11 Codes and Other Abbreviated Dialing Arrangements. An original and four paper copies were mailed to you from the TDI home office. I am now sending you a an MS-DOS formatted diskette with two files:

1. TDICOMM.711 (WordPerfect 5.1 for DOS format)
2. TDICOMM.ASC (ASCII files)

I have enclosed a paper copy of TDI's comments to assist you in "matching" the paper and diskette-based comments.

Thank you very much.

Sincerely,

Robert B. Weinstock

Robert B. Weinstock
Member at Large
TDI Board of Directors

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of The Use of N11 Codes and Other Abbreviated Dialing Arrangements	CC Docket No. 92-105

Comments of

Telecommunications for the Deaf, Inc.
8630 Fenton Street, Suite 604
Silver Spring, MD 20910

Telecommunications for the Deaf, Inc. (TDI) files these comments on March 27, 1997 in the FCC's First Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 92-105, The Use of N11 Codes and Other Abbreviated Dialing Arrangements, released by the Commission on February 19, 1997.

First, TDI expresses its profound appreciation to the Commission for granting in part its October 1993 petition, filed jointly with what was then known as the National Center for Law and Deafness[1], to direct the assignment or reservation of N11 codes for telecommunications relay services (TRS). The Commission directed Bell Communications Research (Bellcore), as administrator of the North American Numbering Plan in the United States, to assign 711 on a nationwide basis for this use.

---

[1] The National Center for Law and Deafness is now known as the National Association of the Deaf Law Center.

TDI will maintain in the comments which follow that for technical and other reasons, this assignment ought to include the establishment of a second number for TRS access by voice telephone users. TDI also will address some of the issues raised by the Commission in its Further Notice of Proposed Rulemaking (FNPRM).

I. The Assignment of 711 on a Nationwide Basis for Access to Telecommunications Relay Services

Again, TDI thanks the Commission for granting its 1993 request to direct Bellcore to assign 711 for access to telecommunications relay services. This decision has been received with great enthusiasm, and even jubilation, by members of the deaf, hard of hearing, and speech disabled communities. Once 711 access is implemented, TRS users no longer will have to remember long strings of numbers, and different numbers in different states. Some deaf, hard of hearing, and speech disabled people in the Washington, DC metropolitan area alone need to remember several different 202 and 800 area code numbers for TRS access in the District, Maryland, and Virginia, as well as dedicated numbers for federal government employees and for long distance access. Voice TRS users need to remember entirely different access numbers in the District and Virginia, and separate dedicated numbers for federal government employees and for long distance access. And woe be those who travel—they must obtain and carry with them TRS numbers for other states. It is an undesirable state of affairs, one that will be greatly alleviated by this Commission action.

But there are compelling technical reasons to suggest that the Commission go one step further and direct Bellcore to assign a second N11 code for voice TRS users. In fact, TDI and NCLD originally asked for just this. While some states have implemented successfully

TRS delivery systems that use one access number, the fact is most states have found that it is technically simpler and more cost-effective to address the various intricacies and permutations of TRS provision by having separate access numbers for TTY and voice users.[2]

The FNPRM in this matter asks a great many technical questions, many of which have yet to be answered satisfactorily at the state level in seven years, much less on the scale contemplated by the First Report and Order for nationwide implementation within three years. Currently, the TRS industry has three major providers and a number of lesser players, each of which addresses these issues differently. The service delivery models that have evolved in this relatively young industry all have inherent strengths and weaknesses, but it

---

[2] To illustrate this complexity, one may wish to refer to the *1997 TDI National Directory of TTY Numbers*. Eight states (Kansas, Maryland, Michigan, New Hampshire, Ohio, South Carolina, South Dakota, and Wisconsin) have single-number access to TRS for both TTY and voice users. Sprint also provides single-number access to its nationwide long distance relay service. The remaining states, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands have separate numbers for TTY and voice access to TRS. The state of Hawaii provides TTY users with access to TRS through 711, and voice users with access to TRS through 511, in addition to 808 area code numbers for TTY and voice users. Ten states (California, Colorado, Connecticut, Iowa, Mississippi, Oklahoma, Oregon, Rhode Island, Texas, and Wisconsin) provide separate access for computer users. California has a single number for Spanish-language access to TRS; Illinois has two numbers for this purpose. The state of Washington provides one number for Telebraille access to TRS. In the District of Columbia, TRS access is through 202 area code numbers, rather than toll-free 800 area code numbers. In Minnesota, callers use an 800 number unless they are in Minneapolis-St. Paul, in which case they use a local (612 area code) access number. Puerto Rico has four separate 800 numbers for TRS access: one voice and one TTY number for local calls, and one voice and one TTY number for long distance calls. AT&T has seven separate 800 area code numbers for its nationwide long distance TRS: English-language TTY, voice, computer, and Telebraille, and Spanish-language TTY, voice, and computer. In all, 116 numbers are listed for TRS access in the United States and territories, and 12 more for nationwide long distance relay services. There are an additional 76 numbers for TRS customer service in the United States and territories, and four more for nationwide long distance TRS customer service. In all, 216 numbers are listed.

remains to be seen whether relay service providers can develop a unified approach to the creation of a network that would support single-number access for all users.

There are practical and human considerations as well. Because of the many digits needed for a voice telephone user to place a call through the present TRS, the current system works as a disincentive for hearing people to place TRS calls to deaf, hard of hearing, and speech disabled people. In effect, it provides an obstacle to providing "functionally equivalent" services, and this obstacle would remain in the future if voice telephone users could not access TRS through 711.

TDI urges the Commission in the strongest possible terms to reconsider directing Bellcore to assign a second N11 number—possibly 511—for access to TRS by voice telephone users. 511 is one of the two remaining N11 codes available under the North American Numbering Plan (the other being 211), and is currently used in Hawaii for TRS access by voice telephone users.

TDI is confident that having separate numbers for TRS access by TTY and voice telephone users will greatly facilitate the successful nationwide implementation of N11 access to TRS. To expect 711 to "be all things to all people" is to create potentially unsurmountable technical obstacles to what are already complex and far from seamless processes.

In addition, most TRS providers freely admit that TRS represents a small fraction of their overall business; thus, as a rule, they do not commit great resources—administrative and technical oversight, time, money, personnel, hardware or software, etc.—to TRS.

Finally, one must remember that the ultimate beneficiaries of TRS are the end users—deaf, hard of hearing, and speech disabled people, and hearing people who

communicate with them. Deaf, hard of hearing, and speech disabled people for over a century were effectively denied effective access to the telecommunications network. The Commission has shown through its earlier actions in TRS, hearing aid compatibility, closed captioning, and other matters, and through its proactive efforts in recent years to implement the telecommunications provisions of the Americans with Disabilities Act, its commitment to full access for all people. The First Report and Order is a very major step forward, but implementation is easier said than done. The Commission would do well to enhance this access and reduce the likelihood of technical complexities delaying or foreclosing implementation by adding a second N11 number for TRS access by voice telephone users.

Once again, TDI urges the Commission to direct Bellcore to assign a second N11 code to TRS. The industry will be better able to proceed with implementation, and the public interest, convenience, and necessity will be served.

II. Issues Raised in the Further Notice of Proposed Rulemaking

Telecommunications for the Deaf, Inc. (TDI) wishes to respond only to Section B of the Further Notice of Proposed Rulemaking, and only to some of the questions raised by the Commission.

The questions raised in Section B of the FNPRM and TDI's comments are as follows:

1. Whether there can be nationwide implementation of an N11 code and how to address less than nationwide implementation, if network facilities of some telecommunications carriers preclude use of N11 for TRS access.

TDI believes that there can be nationwide implementation. As stated earlier, there are three major providers and a number of lesser players in the TRS industry. In all likelihood,

one of the major providers will need to provide the network infrastructure and "hooks" for the other providers. There are obviously technical issues to resolve and financial mechanisms to implement before this can become operational, but there are parallel models in the long distance industry that may provide valuable guidance.

If network facilities of some telecommunications carriers preclude use of N11 for TRS access, they will need to provide equivalent alternatives for consumers in their service areas and/or consumers who seek to place calls to their service areas, and apply to the Commission for time extensions. If this is not possible, then those carriers that are unable to provide N11 access should be given a transition period of, say, two years in which to upgrade their equipment so as to enable them to handle N11. If at the end of the transition period, they are still not in compliance, then they should not be allowed to provide any kind of telecommunications services until they come into compliance.

2. How competition among relay providers would be maintained.

Competition exists already because nearly all jurisdictions award contracts for TRS through the competitive bid process. Typically, states issue requests for proposals, receive proposals, evaluate them, and select the single provider who most closely meets the contract requirements. Contracts are nearly always for finite periods of time, which encourages providers to give quality service to qualify for automatic contract extensions or to ensure future contract awards.

There is a move underway by consumer advocacy groups and by some TRS providers to promote "consumer choice," the ability of a consumer to specify the use of a specific relay provider for any given TRS call or on a blanket basis. This is almost exactly analogous

to consumers being able to specify their long distance carrier for any given call or on a blanket basis. While "consumer choice" for TRS has not actually been implemented yet in any state because of existing contractual arrangements and technical considerations, it has a strong and growing groundswell of support. Clearly, if implemented, consumer choice will foster competition.

3. Whether implementation is technically feasible and, if so, the details of such implementation.

Implementation is certainly technically feasible, and would be made even more so if the Commission were to direct Bellcore to assign a second N11 code to TRS for access by voice telephone users. Please see above.

TDI defers to other commentators on the details of implementation. However, it is prepared, through its staff, its Board of Directors, or its corps of volunteer technical advisors, to provide technical and non-technical assistance to the Commission and to TRS providers. TDI has a long and proud history of providing such assistance.

Implementation encompasses much more than technical issues. For instance, the change to N11 access for TRS will require massive publicity.

4. The projected costs of implementation and how those costs should be recovered.

TDI defers to other commentators on the projected costs of implementation, but recommends that insofar as possible, costs be recovered through funding mechanisms that distribute costs evenly among all telephone users, and that do not overtly or subtly stigmatize the principal beneficiary population of deaf, hard of hearing, and speech disabled people in the eyes of others. The base rate mechanism, so called because the per-month cost of TRS is

absorbed into the basic cost of local telephone service, is preferable to a labeled surcharge on all users' telephone bills.

5. What effect, if any, nationwide implementation of an N11 code for TRS access will have on CMRS providers and their networks.

This is difficult to answer because cellular and mobile radio services currently are almost totally inaccessible to the population that has the greatest need for TRS: deaf, hard of hearing, and speech disabled people. The reasons for this inaccessibility are varied and complex, and include ergonomics (one cannot physically mate most cellular telephones with the acoustic cups of a TTY, and many cellular telephones do not provide RJ-11 or data ports), electronics (the mark and space tones of Baudot TTYs were optimized for use over the traditional telephone network), and hearing aid incompatibility (the Commission has granted a time extension to cellular telephone manufacturers to comply with its already-adopted hearing aid compatibility rules).

Ironically, deaf and hard of hearing people who have retrofitted cellular or mobile radio telephones for use with TTYs arguably are *safer* users of this technology while driving, because out of the need to type or read text, they will pull over on a road or highway shoulder, or stop at a highway rest area. In light of recent research studies that show that driving and talking on a cellular or mobile radio telephone contributes to traffic accidents), this is all the more reason for cellular and mobile radio telephone manufacturers to work to make their products and services fully accessible. In any case, it remains to be seen how successful their efforts will be, and what effect, if any, nationwide implementation of an N11 code for TRS access will have on CMRS providers and their networks.

6. What steps must be taken to ready the network for use of 711 as the TRS code and whether these steps can be completed in the three year timeframe of the First Report and Order or perhaps even sooner? Specifically:

a. timelines for completion of tasks seen as necessary to introduce 711

b. whether it would be possible to develop within a reasonable time an N11 "gateway" offering access to multiple TRS providers

c. whether any other important disability services could be accessed through the same gateway and whether such a gateway would be consistent with Section 255 of the Telecommunications Act.

d. whether, with such gateway access, TRS calls would still be answered within minimum standards for TRS answer times, which require 85 percent of calls to be answered within 10 seconds.

e. the possibility of providing both voice and text TRS services through the same abbreviated N11 code.

TDI defers to other commentators on specific steps and timelines; however, it feels strongly that N11 access can be accomplished in three years or less.

TDI believes that an N11 "gateway" offering access to multiple TRS providers is not only an excellent idea; it is mandatory. For many deaf, hard of hearing, and speech disabled people, the choice of a long distance carrier is not nearly as important as the choice of a TRS provider, but one has a choice in the former and not in the latter. An N11 "gateway" offering access to multiple TRS providers would foster competition.

With respect to the question of whether any other important disability

services could be accessed through the N11 gateway, this is a very worthwhile question to explore. Calls to this gateway could be used to access disability services, such as the statewide independent living council or independent living centers within the state, the state school for the deaf, etc. Another possible use is to provide access to various crisis "hot lines." TDI thanks the Commission for its foresight here, and encourages the Commission to investigate this possibility further.

On the issue of answer times, TDI recommends that the Commission hold fast on its current rules until it has longitudinal data concerning answer times in the current non-gateway environment. In fact, TDI encourages the Commission to revisit the entire realm of TRS standards when N11 access is implemented.

Once again, TDI expresses its appreciation to the Commission for its First Report and Order to direct the assignment or reservation of N11 codes for telecommunications relay services (TRS).

Submitted by:

Claude L. Stout, Executive Director
Telecommunications for the Deaf, Inc.
8630 Fenton Street, Suite 604
Silver Spring, MD 20910
March 27, 1997

Attachment A

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

o An oversize page or document (such as a map) which was too large to be scanned into the RIPS system.

o Microfilm, microform, certain photographs or videotape.

✓ o Other materials which, for one reason or another, could not be scanned into the RIPS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.

Diskette